

Sec.	
5105.	Report.
5106.	Authorization of appropriations.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 6995 of this title.

§ 5101. Qualifying States**(a) In general**

A State is a qualifying State if the Secretary of Agriculture (hereinafter in this chapter referred to as the “Secretary”) determines that the State has in effect a mediation program that meets the requirements of subsection (c) of this section.

(b) Determination by Secretary

Within 15 days after the Secretary receives from the Governor of a State a description of the mediation program of the State and a statement certifying that the State has met all of the requirements of subsection (c) of this section, the Secretary shall determine whether the State is a qualifying State.

(c) Requirements of State mediation programs**(1) Issues covered**

To be certified as a qualifying State, the mediation program of the State must provide mediation services for the persons described in paragraph (2) who are involved in agricultural loans or agricultural loans and one or more of the following issues under the jurisdiction of the Department of Agriculture:

- (A) Wetlands determinations.
- (B) Compliance with farm programs, including conservation programs.
- (C) Agricultural credit.
- (D) Rural water loan programs.
- (E) Grazing on National Forest System lands.
- (F) Pesticides.
- (G) Such other issues as the Secretary considers appropriate.

(2) Persons eligible for mediation

The persons referred to in paragraph (1) are producers, their creditors (if applicable), and other persons directly affected by actions of the Department of Agriculture.

(3) Certification conditions

The Secretary shall certify a State as a qualifying State with respect to the issues proposed to be covered by the mediation program of the State if the mediation program—

- (A) provides for mediation services that, if decisions are reached, result in mediated, mutually agreeable decisions between the parties to the mediation;
- (B) is authorized or administered by an agency of the State government or by the Governor of the State;
- (C) provides for the training of mediators;
- (D) provides that the mediation sessions shall be confidential;
- (E) ensures, in the case of agricultural loans, that all lenders and borrowers of agricultural loans receive adequate notification of the mediation program; and
- (F) ensures, in the case of other issues covered by the mediation program, that persons

directly affected by actions of the Department of Agriculture receive adequate notification of the mediation program.

(Pub. L. 100-233, title V, § 501, Jan. 6, 1988, 101 Stat. 1662; Pub. L. 100-399, title V, § 501, Aug. 17, 1988, 102 Stat. 1005; Pub. L. 103-354, title II, § 282(a), Oct. 13, 1994, 108 Stat. 3233.)

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-354, § 282(a)(1), substituted “a mediation program” for “an agricultural loan mediation program”.

Subsec. (b). Pub. L. 103-354, § 282(a)(2), struck out “agricultural loan” before “mediation program”.

Subsec. (c). Pub. L. 103-354, § 282(a)(3), added subsec. (c) and struck out heading and text of former subsec. (c). Text read as follows: “Within 15 days after the Secretary receives a description of a State agricultural loan mediation program, the Secretary shall certify the State as a qualifying State if the State program—

“(1) provides for mediation services to be provided to producers, and their creditors, that, if decisions are reached, result in mediated, mutually agreeable decisions between parties under an agricultural loan mediation program;

“(2) is authorized or administered by an agency of the State government or by the Governor of the State;

“(3) provides for the training of mediators;

“(4) provides that the mediation sessions shall be confidential; and

“(5) ensures that all lenders and borrowers of agricultural loans receive adequate notification of the mediation program.”

1988—Subsec. (b). Pub. L. 100-399 struck out comma after “Governor of a State”.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-399 effective as if enacted immediately after enactment of Pub. L. 100-233, which was approved Jan. 6, 1988, see section 1001(a) of Pub. L. 100-399, set out as a note under section 2002 of Title 12, Banks and Banking.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 5102, 5103 of this title.

§ 5102. Matching grants to States**(a) Matching grants**

Within 60 days after the Secretary certifies the State as a qualifying State under section 5101(b) of this title, the Secretary shall provide financial assistance to the State, in accordance with subsection (b) of this section, for the operation and administration of the mediation program.

(b) Amount of grant**(1) In general**

Subject to paragraph (2), the Secretary shall pay to a State under subsection (a) of this section not more than 70 percent of the cost of the operation and administration of the mediation program within the State.

(2) Maximum amount

The Secretary shall not pay more than \$500,000 per year to a single State under subsection (a) of this section.

(c) Use of grant

Each State that receives an amount paid under subsection (a) of this section shall use